



Having reviewed Plaintiff's objections de novo, the Court concludes that the objections are without merit and that the findings and conclusions of the Magistrate Judge are correct. It is accordingly

**ORDERED** that the Report and Recommendation (Docket No. 37) is **ADOPTED**. It is **ORDERED** that Defendants' Motions to Dismiss (Docket Nos. 28, 33) are **GRANTED**. It is further **ORDERED** that Plaintiff's official capacity claims are **DISMISSED WITHOUT PREJUDICE**. It is further that Plaintiff's individual capacity claims are **DISMISSED WITH PREJUDICE**. All motions not previously ruled on are **DENIED AS MOOT**.

So **ORDERED** and **SIGNED** this 16th day of **March, 2022**.

A handwritten signature in black ink, appearing to read "Jeremy D. Kernodle", is written over a horizontal line.

JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE